

REMARKS

In response to the drawings objection under 37 CFR 1.83(a), reconsideration of this objection is respectfully requested. Figure 2 illustrates a geotextile style reinforced soil arch concept where the geotextile reinforcement is *not* connected to the form. Accordingly, it is submitted that claims 10 and 17, which specify that the soil reinforcement is not connected to the form, should be permitted to remain in the application.

In response to the Examiner's objection that claims 1, 7, 8 and 14-17 contain informalities, claim 1 has been amended to remove reference to "the structure". Furthermore, claims 7, 8 and 14-17 do not now incorporate the expression "the form" and accordingly the objection in the last paragraph of page 2 of the Office Action is circumvented. Finally, regarding claim 5, line 2, the phrase "like materials" has been deleted.

Turning to the Examiner's objection to claims 1-18 under 35 U.S.C. 103(a) as being unpatentable over Fisher (4,010,617) in view of Kennedy (CA-1,340,179), the applicant has submitted an amended set of claims which, it is believed, patentably distinguish the teachings of Fisher and Kennedy, taken alone or in combination. In passing, it is pointed out that there is no teaching in either Fisher or Kennedy indicating that the technology in the one patent can be combined with the technology in the other patent.

The Examiner has acknowledged on page 4 of the Office Action that "Fisher fails to explicitly disclose that the composite arch structure comprises reinforced soil utilizing a combination of layers of soil and reinforcement". Amended claim 1 therefore distinguishes Fisher because it specifies a combination of alternating and interacting layers of compacted mineral soil and reinforcement material. Amended claim 1 also specifies the footings are temporary. It is noted that both Kennedy and Fisher require the use of *permanent* footings. In Fisher, the footings appear to be formed of concrete and are identified with the reference numerals 4 and 5 respectively. As mentioned in Kennedy, the footings appear to be constructed of concrete and are identified with the reference numerals 13 and 15. In the applicant's self-standing reinforced soil arch construction, the pair of footings are temporary only. The fact that the footings are temporary is clearly mentioned in the inscription at the lower left of Figures 1, 3 and 4. Since amended claim 1 now specifies that the footings are removed after the archway form is erected, it is submitted that amended method claim 1 and its dependent method claims distinguish the teachings of Fisher and Kennedy and are patentable over Fisher and Kennedy. Furthermore, independent apparatus claim 11 and its dependent claims do not mention a footing and

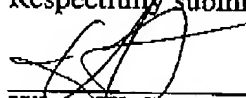
accordingly it is submitted that these claims also patentably distinguish Fisher and Kennedy.

It is submitted that the amended set of claims asserted herein patentably distinguish the teachings of Fisher and Kennedy and accordingly should be allowed. Such action at an early date is respectfully solicited.

While it is believed that this application is now in condition for allowance, should the Examiner have any lingering concerns about the allowability of the application, and it would be convenient to deal with such objections or concerns over the telephone, the Examiner is invited to telephone the applicants' patent attorney at the telephone number listed below.

Respectfully submitted,

By:


Hilton W.C. Sue
Registration No. 51,325
tel: 604.669.3432 ext. 8939
fax: 604.681.4081
e-mail: hsue@patentable.com

Vancouver, B.C.
CANADA